

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE: Eastern Livestock, Co., LLC

Chapter 11

SSN: NA

EIN: NA

Case Number:

Debtor(s)

10-93904-BHL-11

MOTION TO ALLOW CLAIM OF
LYTLE STREET DEVELOPMENT, LLC AS TIMELY FILED

Comes the Creditor, Lytle Street Development, LLC, by counsel, and now moves the Court to allow its Claim, filed concurrently herewith, as timely filed, whereas:

1. Creditor has in its possession approximately 2,000 boxes relating to the financial business transactions of the Debtor. These records include cancelled checks for all transactions by Eastern Livestock Co., Inc. over the last five years
2. Creditor believes that they are required to maintain these records for a period of at least five (5) years. Further, once the five (5) year storage requirement expires, it will be the responsibility of the Creditor to move the boxes from their premises to have the documents properly destroyed by a commercial shredding operation. The cost of moving the boxes and shredding will be shouldered by the Creditor.
3. Creditor is entitled to set off as they are holding property of the Debtor and have the burden of the eventual disposal of the property.
4. Creditor believes that filing a Proof of Claim for these services is the easiest and most expedient manner to handle the claim.

By: /s/ Andrea L. Wasson

Edward C. Airhart

Andrea L. Wasson

Counsel for Creditor

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(502) 587-0789

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Allow Claim as Timely Filed was served upon the following parties this 11th day of May, 2011:

JAMES A. KNAUER

111 Monument Circle, Ste 900

Indianapolis, IN 46204-5125

Trustee

Served via ECF

U.S. TRUSTEE

101 W. Ohio St., Suite 1000

Indianapolis, IN 46204

Served via ECF

And all other parties in interest via ECF

/s/ Andrea L. Wasson

Andrea L. Wasson